

CHAPTER 19

GOVERNMENT - MUNICIPAL

HOUSE BILL 93-1031

BY REPRESENTATIVES Lawrence, Armstrong, Blue, Chlouber, Eisenach, Epps, Fleming, R. Hernandez, June, Owen, Pierson, Shoemaker, and Tanner;
also SENATORS Meiklejohn, Ament, Bishop, Casey, Cassidy, Feeley, Gallagher, Groff, Hopper, Johnson, Martinez, Mendez, Norton, Pastore, Peterson, L. Powers, R. Powers, Roberts, Schroeder, Tebedo, Traylor, Trujillo, Wattenberg, Weissmann, and Wells.

AN ACT**CONCERNING AN INCREASE IN THE MAXIMUM RETIREMENT PENSION FOR VOLUNTEER FIREMEN.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 31-30-415 (8) (a), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

31-30-415. Volunteer firemen's pensions - blanket insurance. (8) (a) The board of any municipality WITH THE PRIOR CONSENT OF THE GOVERNING BODY OF SUCH MUNICIPALITY, THE BOARD OF ANY fire protection district, or ANY county improvement district pension board may pension any volunteer fireman having twenty years of active service and being above the age of fifty years, such pension not to exceed one hundred dollars per month, unless an actuarial review indicates a higher payment is actuarially sound, but in no case shall the pension exceed ~~three~~ FOUR hundred FIFTY dollars per month. PENSIONS WHICH MAKE PAYMENTS IN EXCESS OF THREE HUNDRED DOLLARS PER MONTH ARE SUBJECT TO THE STATE CONTRIBUTION LIMITATION SPECIFIED IN SECTION 31-30-1014 (3) (a) (I) (D.5). No volunteer fireman shall receive a pension for service in a fire department while an active member of that department. On and after January 1, 1978, volunteer firemen shall maintain a minimum training participation in said fire department of thirty-six hours each year to qualify for retirement benefits. Any volunteer fireman serving twenty years and not having reached the age of fifty years may be granted a leave of absence and retain all rights to pension annuity and on attaining age fifty shall be entitled to said benefit.

SECTION 2. 31-30-1014 (3) (a) (I) (D), Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended, and the said 31-30-1014 (3) (a) (I) is further amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH, to read:

31-30-1014. State contribution. (3) (a) (I) (D) EXCEPT AS OTHERWISE PROVIDED

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

IN SUB-SUBPARAGRAPH (D.5) OF THIS SUBPARAGRAPH (I), in 1984 and each year thereafter contributions to any municipality, special district, or county improvement district offering fire protection service and having volunteer firemen shall equal ninety percent of all amounts levied, appropriated, and contributed by the municipality or special district but the state contribution shall not exceed an amount equal to one-half mill on the current valuation for assessment of the municipality, special district, or county improvement district assuming one hundred percent collection. It is the intent of the general assembly to continually fund volunteer firefighters pension plans.

(D.5) NOTWITHSTANDING THE PROVISIONS OF SUB-SUBPARAGRAPH (D) OF THIS SUBPARAGRAPH (I), ANY MUNICIPALITY, SPECIAL DISTRICT, OR COUNTY IMPROVEMENT DISTRICT THAT WAS LEVYING AN AMOUNT EQUAL TO OR LESS THAN ONE-HALF MILL PRIOR TO JULY 1, 1993, AND THAT SUBSEQUENTLY INCREASES ITS MILL LEVY TO PAY PENSIONS IN EXCESS OF THREE HUNDRED DOLLARS PER MONTH SHALL RECEIVE STATE CONTRIBUTIONS PURSUANT TO SUB-SUBPARAGRAPH (D) OF THIS SUBPARAGRAPH (I) BASED UPON THE MILL LEVY THAT WOULD BE REQUIRED TO BE LEVIED TO PAY A PENSION OF THREE HUNDRED DOLLARS PER MONTH. NOTWITHSTANDING THE FOREGOING, NOTHING HEREIN SHALL BE CONSTRUED TO REQUIRE THE STATE TO CONTRIBUTE MORE FUNDS THAN NECESSARY TO PAY A PENSION OF THREE HUNDRED DOLLARS PER MONTH.

SECTION 3. Effective date. This act shall take effect July 1, 1993.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 22, 1993